

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

DAVID WILLIAMS,

Plaintiff,

v.

C.A. No. 05-11104-MLW

DAVID NOLAN, et al.,

Defendants.

**DEFENDANTS' MOTION TO LATE FILE RESPONSE
TO ORDER OF SEPTEMBER 28, 2005**

Defendants, through counsel, hereby move that they be allowed to file Defendants' Response to Order of September 28, 2005 Regarding Transfer of the Case to a Magistrate Judge late. The Memorandum and Order of September 28, 2005 ordered the parties to inform the Court by October 19, 2005 whether they consent to a transfer of the case to a Magistrate Judge for all purposes.

As reason therefore, counsel for defendants states that he did not receive electronic notice of the September 28, 2005 Order and had failed to obtain an electronic docket report for this civil action prior to today. Defendants further state that plaintiff will not be otherwise prejudiced by allowing the defendants to late file their response to the September 28, 2005 order.

Dated: November 2, 2005

Respectfully submitted,

NANCY ANKERS WHITE
Special Assistant Attorney General

/s/ Richard C. McFarland
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